

Mr. TILLIS. Madam President, I want to thank my colleagues from North Dakota, Ohio, Wyoming, and Iowa, who have spoken before me, and my colleague from Kansas, after me.

I think Senator PORTMAN ended his statement by saying that we have heard the rhetoric, but we haven't seen the actions. Well, in North Carolina, our State motto, in Latin, is "Esse quam videri." It means: To be, rather than to seem.

I think our State motto does a good job of summarizing the first 100 days of the Biden administration. As a Presidential candidate, Joe Biden made it seem that he would govern as a moderate, pragmatic deal maker, and he set the bar high in his inaugural address. He said:

My whole soul is in this: bringing America together, uniting our people, [and] uniting our nation. I ask every American to join me in this cause.

I was actually inspired by that statement, and I am one of the Americans who was willing to work for him on that cause. In fact, I was 1 of the 10 Republicans who had the first official meeting with the President to see if we could come to common ground on the COVID relief package, after having successfully passed five bipartisan COVID relief packages in the last Congress.

Unfortunately, the President's actions have not corresponded with his promises to date. Instead of leading on his instincts to bring America together, President Biden has followed his advisers' recommendations to go it alone. He has pushed a highly partisan, ideologically driven agenda.

And you don't need to take my word for it. New York Representative ALEXANDRIA OCASIO-CORTEZ recently declared that President Biden has exceeded the expectations of progressives.

Indeed, there has been a lot in Biden's agenda for the left to like. It is an agenda designed to pass with no need for moderation and not a single Republican vote—no consensus whatsoever—proposing tax hikes on American families and businesses at a time that they are trying to rebound from the pandemic.

Ladies and gentlemen, we are in the middle of a national emergency. We are in the middle of a pandemic. We have spent and appropriated billions of dollars to healthcare, to businesses to recover. And now, long before the national emergency has been declared done, we are talking about taking those same dollars away.

Offering mixed messaging and failed policies that have caused a humanitarian and security crisis at the southern border is another issue. When I went down to the border about a month ago, the Press Secretary said: It is not a crisis; it is a situation. Now, a month later, the Press Secretary and the administration say it is a crisis, but now it is a catastrophe.

I saw a dead body floating in the Rio Grande River. Other people died. We

heard the report of a 9-year-old. That doesn't even count the number of people who died along the way.

It also doesn't count the 300 or 400 people who are called the "got-aways"—not the thousands who are coming in and going to the border agents but the hundreds every night who are crossing. They are bad actors. Many of them are gang members or they are smuggling drugs or are human traffickers, who are evading arrest. It is creating a dangerous situation. It is a catastrophe. The President hasn't spoken on it. To my knowledge, the Vice President has never gone down there to get a bird's eye view.

The President has embraced the Green New Deal policies, like canceling the Keystone Pipeline. That one stroke of a pen ended thousands of labor union jobs, good-paying jobs. But even more heartbreaking are the communities that would have benefited from all of that commerce occurring in some of the most rural areas and most economically challenged areas in our country.

They rammed through an entirely partisan \$2 trillion spending package. They called it COVID relief. But only about 9 percent of it actually had anything to do with continuing to recover from the damage that COVID has caused this country.

I am sure the President will talk about it tonight, a \$2.3 trillion—air quotes—infrastructure bill that isn't actually an infrastructure bill. In fact, they have been a little bit more intellectually honest. Now they are calling it human infrastructure.

I think most Americans, when you think about infrastructure, you think about roads, you think about bridges, you think about broadband. You don't think about human infrastructure. But that is what is being pitched today, and it is being pitched on a partisan basis, without even attempting to get a single Republican vote.

Americans did not elect President Biden to enact any of these partisan policies. They trusted him to come in and make deals—to settle for something less than 100 percent but something that was going to be embraced by more of the American people versus half, which is about where the President is today.

And he has pursued this for 100 days. I hope he changes his mind, but here is one reason why I am not optimistic. His most audacious action, in my opinion, is placating the far left and entertaining the idea of nuking the Senate legislative filibuster. In this very Chamber, 21 years ago, then-Senator Biden declared that defending the filibuster was about defending compromise and moderation. The promises he made on the campaign trail, the promise he made on the day of his inauguration—he noted that his speech was one of the most important he would ever give as a Senator, defending the filibuster. It is a shame that President Biden isn't demonstrating the

same political courage that Senator Biden did two decades earlier—the kind of courage that we are seeing today demonstrated by Senator MANCHIN and Senator SINEMA. Instead, the President has entertained the far left's push to eliminate the filibuster and destroy this institution, to end bipartisanship and compromise—they really are no longer a necessity—so that any piece of fringe legislation can pass with a simple majority.

The President, a 30-plus year defender of the filibuster, should know better than anyone. He knows that the left is demanding a Faustian bargain—trading 2 years for the far left to have free reign in exchange for permanent destabilization of our Republic, emboldening future demagogues on both ends of the spectrum.

Our country doesn't need more partisan pandering or political brinksmanship from this administration or from either party. That is why I stood against nuking the filibuster about 3 years ago, and I will as long as I am a U.S. Senator.

There are plenty of Republicans like me who are willing to work with President Biden and even put some of our supporters out of their comfort zone for the good of this Nation.

In fact, when I was sworn in, I said I would work to find common ground in areas where we may agree, and I would vigorously oppose policies where we do not. Unfortunately, to this point, I have only had the opportunity to do the latter.

The willingness to negotiate has only been a one-way street on the part of Republicans. I went to the White House to try to find common ground on another bipartisan COVID package, but it is ultimately up to the President whether he leads on bipartisanship instincts or follows his advisers who are pushing him to keep governing from the left.

Quite frankly, it doesn't matter what the President says about bipartisanship and uniting the country; it is what he does. And, tonight, I hope we will see it for the good of our great Nation.

The PRESIDING OFFICER. The Senator from Kansas.

BIDEN ADMINISTRATION

Mr. MARSHALL. Madam President, on January 20, President Joe Biden gave his inaugural address to the American people, saying that in order to overcome the challenges we face as a nation and "to restore the soul and [to] secure the future of America requires more than words; it requires that most elusive of things in a democracy: unity. Unity."

I end the quote.

And he says for a second time: "Unity." In fact, he mentioned the word "unity" nine separate times throughout his inaugural remarks. Unfortunately, that "unity" President Biden preached about is nowhere to be found.

One hundred days in office, and there has been zero bipartisanship from the

White House on any major issue. We have seen zero effort by the White House to take any Republican idea or concept seriously. In fact, they have done very little to reach across the aisle, engage Republicans, or have a serious conversation with us.

They have shown that they are not interested in bipartisanship, as they continue to jam through their radical agenda and seek power grab after power grab.

We have seen a record number of Executive orders, the first partisan COVID relief bill, steps to grant DC statehood to tip the powers of scale, a directive that threatens private property rights—the cornerstone of our democracy—an attempt to federalize elections and destroy election integrity with H.R. 1, threats to eliminate the filibuster, increased gas prices for Americans at the pump, efforts to pack the Supreme Court, disguised measures to pass the Green New Deal, calls to defund police, mandates to allow biological boys to compete in girls' sports, and tax increases on all Americans, and much, much more.

Things are changing in DC. History will record President Biden as having spent more money than any other President in U.S. history in his first 100 days. I am warning everyone: Grab your wallets. History will record President Biden's misguided policies as making our Nation less safe, having created a health crisis, a national security crisis, and a humanitarian crisis at the southern border.

What I hope to hear from President Biden this evening is not likely to be covered in a speech. He is going to try to explain to us—even though our economy is recovering and we just borrowed and spent \$2 trillion from our grandchildren—why we now need to spend another \$2 trillion and why he needs to raise your taxes to do it. He is going to try to describe the legislation he wants passed as a so-called infrastructure bill, when less than 5 percent of it is going toward roads and bridges.

He is going to try to convince Americans of something that is a misnomer and not a truth. What he won't tell you is this is a recipe to kill Kansas jobs and an economic catastrophe for this Nation.

Last week, President Biden signed into law a bipartisan bill I introduced, alongside Senators BILL CASSIDY and TINA SMITH, to lower prescription drug prices for the American people. Additionally, we unanimously passed a bill out of the Ag Committee regarding carbon markets. These are both great examples of the unity the President spoke of in his inaugural address—Democrats and Republicans coming together to deliver solutions for the American people.

These are good first steps, and in case there is more opportunity for bipartisanship, let me tell you where we can and should start. We can start with an infrastructure package that actually rebuilds our aging roads, bridges,

and waterways; invest in future generations and ensure high-speed internet for all Americans and incentivize innovation. We can start with staying the course laid out by Operation Warp Speed and get more shots in people's arms so we can reach herd immunity sooner rather than later. We can start with people getting back to work and finally unleash our economy to prepandemic levels, and we can start getting all our kids back in school.

As President Biden said in his inaugural address, "This is our historic moment of crisis and challenge, and unity is the path forward."

If he truly puts unity above all else, we can accomplish great things for the American people, for it is unity that will see this country come roaring back, not President Biden's radical, partisan ways that have further divided this Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

UNANIMOUS CONSENT REQUEST—S. 1410

Mr. COTTON. Madam President, sadly, the United States is in the midst of the deadliest drug epidemic in our Nation's history, caused by some of the deadliest drugs ever created.

It appears that more than 80,000 Americans died from drug overdose last year. By far, the biggest killers were lab-made opioids, such as fentanyl, which are cheap to produce and easy to mix with other street drugs such as heroin. These lethal cocktails have devastated countless communities and families across our Nation. Too many parents have come home to a dead child who mistakenly took a prescription pill or a so-called party drug laced with this deadly fentanyl.

Illicit fentanyl, the kind created in underground Chinese drug labs or smuggled across our porous southern border by Mexican cartels, is made only to addict and kill. For those dark, terrible purposes, fentanyl is unsurpassed in the tragic history of addiction. It is 50 to 100 times stronger than morphine. Just 2 milligrams of fentanyl, an amount equivalent to a few grains of salt, is enough to kill a grown man.

Just last December, police arrested a man in Arkansas carrying 7 pounds of fentanyl. Depending on the purity of that fentanyl, that would have been enough to deliver a fatal dose to up to 1.5 million Americans. That is far from the biggest fentanyl bust that police have ever made.

That means that every time our Border Patrol stops a drug mule coming across our southern border, every time the Coast Guard intercepts a drug runners' vessel in our waters, and every time a SWAT team raids a drug dealer's stash house, they could be averting what is, in effect, a mass casualty attack on our country.

Unfortunately, these Mexican drug cartels and Chinese superlabs are diabolically creative in waging this new kind of opium war against the United

States. When American law enforcement started cracking down on fentanyl a few years ago, the cartels started producing so-called analogs or look-alike drugs that are chemically distinct from fentanyl, yet have no legitimate medical uses but will kill you just as quickly. Some of these analogs are even more powerful than fentanyl—up to 150 times more potent of a drug that I would remind you, once again, is, itself, 50 to 100 times more potent than morphine. Because these drugs are chemically distinct from fentanyl, prosecuting and shutting down their creators is often prohibitively expensive, requiring law enforcement to hire expert witnesses to testify the analog is, in fact, a deadly drug.

In 2018, the Drug Enforcement Administration took the necessary and prudent step listing the entire class of fentanyl analogs as schedule I prohibited substances. This decision closed a deadly loophole that drug dealers were using to escape punishment from poisoning our citizens, while still allowing legitimate researchers to apply for and obtain approval to research these analogs for potential medical or scientific breakthroughs.

The evidence suggests that this law enforcement action has been getting results. Since the classwide scheduling went into effect in early 2018, law enforcement encounters with uncontrolled fentanyl analogs plummeted by almost 90 percent.

Of course, our work to solve the opioid epidemic is far from finished. We still have much to do to dismantle the cartels and drug trafficking networks that spread fentanyl and analogs and mix it with other drugs. But the DEA's efforts to control fentanyl analogs were a step in the right direction.

Last year, the Senate voted unanimously to extend the DEA's emergency scheduling of fentanyl, but that extension is now set to expire. We have the opportunity—in fact, I would say we have the responsibility to permanently control these deadly fentanyl analogs so law enforcement has the legal backup it needs to take these dangerous drugs off the streets.

If Congress doesn't act, this emergency scheduling order is set to expire next week. The authority of our Border Patrol to seize these drugs as they cross the border will be dramatically reduced. Cartels will, once again, be able to exploit loopholes to evade prosecution, and Chinese superlabs will get right back to work inventing new and creative ways to repackage fentanyl and to kill even more Americans. We cannot let that happen.

I introduced a bill to solve this problem once and for all by merely eliminating the expiration date on the law that protects us against these fentanyl analogs. I am asking my colleagues to approve it just like we did last year—unanimously.

I would also like to urge my Democratic colleagues to disregard the liberal activist groups that are lobbying

against controlling these deadly fentanyl analogs because they hope to use it as a bargaining chip to reduce criminal penalties for the most serious drug traffickers. Think about that. More Americans died of a drug overdose last year than in any other year in our history. Yet these liberal activists are trying to help the drug traffickers who spread these very poisons. If they succeed, drug dealers will have an easier time killing Americans for profit, and prosecutors will have to waste valuable resources proving that each new form of fentanyl they encounter is, in fact, a deadly drug.

We cannot play politics with this bill, trading the lives of innocent Americans for more lenient treatment of cartels and superlabs. Protecting Americans from deadly fentanyl should not be treated as a bargaining piece or poker chip. I ask my colleagues to think of the victims and think of the urgency of this measure. I am offering this bill on behalf of tens of thousands of Americans who were with us just last year but are not today because of these deadly synthetic drugs. I am offering this on behalf of the countless Americans who can still be saved if we act.

I urge my colleagues to support this measure and, therefore, Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to immediate consideration of S. 1410, introduced earlier today; further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. BOOKER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. I am deeply grateful to my colleague and friend, the Senator from Arkansas, for bringing this to the floor of the U.S. Senate.

There is an urgency he described that I agree with. One hundred Senators here, and not one State has not been touched, devastatingly, by the fentanyl epidemic. These analogs present a crisis to our country. Lives are at stake so I share his sense of urgency.

I am hoping we can work together to find a way to stop, as he put it, these cartels and these drug labs from wreaking such havoc on our country. I believe that together we can find a solution. In fact, there has been constructive talk across the Capitol—bipartisan talk about finding a way to come to some kind of accord.

In addition to that, I am hopeful that there are other bills out there that have the same ambition, the same goal, the same sense of urgency that I believe should be part of the discussion; for example, policies like the ones in the STOP Fentanyl Act, which I understand Senator MARKEY will be introducing in the Senate very soon. I be-

lieve we should have time in the Judiciary Committee to work on a longer term solution that cannot just deal with the international cartels, not just deal with these horrific drug labs but also empower people who are addicted to begin not to be punished simply with the criminal justice system but to find ways to provide treatment and support to people who are struggling with addictions to this horrific drug.

So with that, I would like to object. The PRESIDING OFFICER (Ms. BALDWIN). Objection is heard.

The junior Senator from Arkansas.

Mr. COTTON. I thank my colleague from New Jersey for these remarks.

Time is not on our side. This emergency scheduling order expires next week. The Senate is not in session next week.

I know that we want to empower addicts, as the Senator from New Jersey said; that we want to help give them the treatment they need to get back on their feet. That is a goal I share.

We are talking, though, about drug dealers, drug traffickers, cartels, Chinese superlabs. If we do not pass an extension—in my bill, a permanent extension of this emergency scheduling order—it is the addicts who will be hurt because the drug dealers and these cartels and superlabs will simply begin to flood our streets, once again, with the synthetic fentanyl analogs, which I remind you, again, can be 150 times more potent than fentanyl itself, which is 50 to 100 times more potent than morphine.

I hope my Democratic friends will reconsider in the short time we have this week, and we will be able to pass a permanent extension of this scheduling order.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from New Jersey.

Mr. BOOKER. Madam President, I want to say, in conclusion, before I switch to another topic, that I appreciate the willingness of the Senator from Arkansas to look not just at his bill but a powerful potential bipartisan extension however we can deal with this. The urgency does exist. We are in a crisis.

#### NOMINATION OF SAMANTHA POWER

Madam President, I rise today to speak in support of Ambassador Power's nomination to serve as Administrator for the U.S. Agency for International Development or USAID.

The mission of USAID is to advance the values of democracy throughout the world on behalf of the American people, and this mission has never been more critical than today.

If confirmed, Ambassador Power will lead an Agency tasked with responding not only to the global crisis of COVID-19 and its devastating impact on vulnerable people across the world but with responding to some of the most pressing challenges facing the United States and the international community: global democratic backsliding, human suffering caused by sexual- and

gender-based violence, climate change, and violent conflict around the world.

Now, Ambassador Power is an extraordinary public servant. She has distinguished herself in her career and is more than capable of leading USAID's efforts in addressing these global urgencies. She is clear-eyed and sober about the international challenges that she and USAID will face.

Over the past 4 years, experts and career professionals within the USAID were, unfortunately, silenced. Decisions were politicized, and recruitment and retention were inadequate. Ambassador Power will be the kind of leader this Agency now needs to restore integrity, transparency, and to rebuild the morale among the dedicated professionals who drive USAID's critical mission.

Ambassador Power also understands that the United States will remain a global leader—really, must remain a global leader—who will be able to counter the influence of China's aggressive diplomatic and development agenda. If the USAID is seen, once again, by our international partners as a competent and trustworthy partner, this mission of countering China will be stronger. If the USAID is a competent and trustworthy partner, we will build on our coalitions to counter China's aggressive actions.

President Biden could not have nominated someone more ready or more capable than Ambassador Power. She has had an impressive career from her work as a Pulitzer Prize-winning journalist to spending 8 years in the Obama administration on the National Security Council, and then as the Ambassador to the United Nations, where she championed the rights of women, atrocity prevention, and LGBTQ rights, reaching consensus with other countries on vital U.S. interests while going toe to toe with our adversaries.

This is one of our more experienced international diplomats from America whom we have today, and by elevating Ambassador Power to the National Security Council, President Biden has made it clear that development and humanitarian assistance will be an integral component to meeting our foreign policy objectives. It is important that we understand that development and humanitarian assistance are a critical part of our foreign policy.

Finally, I just want to end with something that Ambassador Power shared in her most recent book. It is something that, I think, speaks so well to her humility, to her willingness to learn, and to why she will be the leader of the USAID—and, I say, of our entire Nation—and is what the world needs right now. Ambassador Power wrote about a meeting she had with the Ambassador from the Central African Republic, Charles Dabane, who described to her the horrific violence taking place in his country.

She wrote that, during that meeting, she told him she didn't have an agenda. She just wanted to learn from him